

**COUNTY COUNCIL  
OF  
TALBOT COUNTY**

2021 Legislative Session, Legislative Day No.: January 26, 2021

Resolution No.: 298

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Leshner, Ms. Price

**A RESOLUTION DESIGNATING WAREHOUSE AND OFFICE SPACE AT THE TALBOT COUNTY BUSINESS CENTER SURPLUS PROPERTY PENDING DEMOLITION OF THE FORMER BLACK AND DECKER BUILDING; APPROVING THE LEASING OF SUCH SPACE FOR APPRAISED FAIR MARKET VALUE; AND, SUBJECT TO CERTAIN CONDITIONS, DELEGATING AUTHORITY TO THE EASTON AIRPORT MANAGER TO NEGOTIATE, EXECUTE, MODIFY, AND EXTEND LEASES FROM TIME TO TIME AS THE AIRPORT MANAGER DEEMS APPROPRIATE**

By the Council: January 26, 2021

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, February 23, 2021 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order:   
Susan W. Moran, Secretary

**A RESOLUTION DESIGNATING WAREHOUSE AND OFFICE SPACE AT THE TALBOT COUNTY BUSINESS CENTER SURPLUS PROPERTY PENDING DEMOLITION OF THE FORMER BLACK AND DECKER BUILDING; APPROVING THE LEASING OF SUCH SPACE FOR APPRAISED FAIR MARKET VALUE; AND, SUBJECT TO CERTAIN CONDITIONS, DELEGATING AUTHORITY TO THE EASTON AIRPORT MANAGER TO NEGOTIATE, EXECUTE, MODIFY, AND EXTEND LEASES FROM TIME TO TIME AS THE AIRPORT MANAGER DEEMS APPROPRIATE**

**WHEREAS**, Talbot County, Maryland (the “**County**”) owns real property in the Town of Easton, Maryland, described as Tax Map 25 Parcel 58, pursuant to a deed recorded among the Land Records of Talbot County, Maryland, in Liber 2415, folio 69 (the “**Property**”). The Property is improved with a building containing approximately 242,828 square feet of space (the “**Building**”) and an adjacent paved parking area (the “**Parking Area**”). The Property today is known as the Talbot County Business Center and formally as the Black and Decker manufacturing plant; and,

**WHEREAS**, the County acquired the Property in order to ensure that the airspace surrounding the Airport satisfies Federal Aviation Administration Part 77 imaginary surface safety requirements for takeoff and landing; and,

**WHEREAS**, the County anticipates that the Building will have to be demolished in the year 2024 in order to comply with Part 77 (the “**Demolition Date**”); and,

**WHEREAS**, the County Council has previously approved leasing space at the Building to various tenants. The tenants consist of government agencies, private enterprises, and non-profits. The private enterprise and non-profit tenants occupy space deemed surplus by the County Council. Attached hereto as Exhibit “A” is a diagram showing current occupancy at the Building; and,

**WHEREAS**, the Airport Manager commissioned two appraisals of the Property to establish fair market value (“FMV”) for leasing of the surplus space (the “**Appraisals**”). Based on the average of the Appraisals, FMV for warehouse space is \$ 3.00 per square foot and for office space is \$ 6.00 per square foot. Copies of the Appraisals are attached hereto as Exhibits “B” and “C”; and,

**WHEREAS**, the County Council desires to delegate authority for leasing and managing surplus space at the Property to the Airport Manager pending demolition of the Building; and,

**WHEREAS**, Local Government Article (“**LG**”) § 10-312, Md. Code Ann., states that the County may provide for the disposal of any real or leasehold county property provided that “before the county makes any disposition, grant, or lease of county property, the county shall publish notice of the disposition, grant, or lease once a week for 3 successive weeks in at least one newspaper of general circulation in the county and shall include the terms and the compensation to be received and give opportunity for objections.”

**WHEREAS**, the County hereby gives notice of the lease of County property at the Talbot County Business Center in accordance with LG § 10-312.

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Talbot County, Maryland that:

1. The recitals above are hereby incorporated as if fully set forth herein.
2. The County Council finds that:
  - (a) The County has duly advertised the proposed transfer and given opportunity for public comment pursuant to LG § 10-312;
  - (b) The requirements of LG § 10-312 have been fulfilled; and,
  - (c) Space in the Building and Parking Area not presently occupied or used by government agencies at the Talbot County Business Center is not needed for a public purpose pending demolition of the Building and may be leased by the Airport Manager in accordance with the terms of this Resolution.
3. The County Council hereby authorizes the Airport Manager to negotiate, execute, modify, and extend leases for surplus space at the Talbot County Business Center from time to time as the Airport Manager deems appropriate, subject to the following:
  - (a) Leases for office and warehouse space shall be for FMV based on the Appraisals;
  - (b) Tenants shall be responsible for their proportionate share of utilities, common area maintenance, taxes, and building insurance;
  - (c) Lease terms and any extensions thereof shall not exceed the projected Demolition Date;
  - (d) All leases shall be subordinate to any Federal Aviation Administration or Maryland Aviation Administration grant funding conditions; and,
  - (e) All leases shall contain a clause allowing the County to terminate the lease in the event doing so is necessary, in the County's judgment, to enable timely demolition of the Building.
4. Nothing in this Resolution shall be interpreted as cancelling, modifying, or otherwise affecting any existing and lawfully executed lease or other approved use of the Property.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its date of passage.

## PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 298 having been published, a public hearing was held on Tuesday, February 23, 2021t 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

## BY THE COUNCIL

Read the second time:

Enacted: **February 23, 2021**

By Order:



Susan W. Moran, Secretary

Callahan	-	Aye
Divilio	-	Aye
Leshner	-	Aye
Price	-	Aye
Pack	-	Aye

**EFFECTIVE:** **February 23, 2021**